

House File 516

HOUSE FILE _____
BY COMMITTEE ON ENVIRONMENTAL
PROTECTION

(SUCCESSOR TO HSB 244)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to composition and responsibilities of the Iowa
2 comprehensive petroleum underground storage tank fund board.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2321HV 80
5 tm/pj/5

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1 1 Section 1. NEW SECTION. 424.19 FUTURE REPEAL.
1 2 This chapter is repealed effective June 30, 2014.
1 3 Sec. 2. Section 455G.4, subsection 1, Code 2003, is
1 4 amended by adding the following new paragraph after paragraph
1 5 d:
1 6 NEW PARAGRAPH. dd. Two owners or operators appointed by
1 7 the governor. One of the owners or operators appointed
1 8 pursuant to this paragraph shall have been a petroleum systems
1 9 insured through the underground storage tank insurance fund or
1 10 a successor to the underground storage tank insurance fund and
1 11 shall have been an insured through the insurance account of
1 12 the comprehensive petroleum underground storage tank fund on
1 13 or before October 26, 1990. One of the owners or operators
1 14 appointed pursuant to this paragraph shall be self-insured.
1 15 Sec. 3. Section 455G.4, subsection 1, unnumbered paragraph
1 16 2, Code 2003, is amended to read as follows:
1 17 A public member appointed pursuant to paragraph "d" shall
1 18 not have a conflict of interest. For purposes of this section
1 19 a "conflict of interest" means an affiliation, within the
1 20 twelve months before the member's appointment, with the
1 21 regulated tank community, or with a person or property and
1 22 casualty insurer offering competitive insurance or other means
1 23 of financial assurance or which previously offered
1 24 environmental hazard insurance for a member of the regulated
1 25 tank community.
1 26 Sec. 4. Section 455G.4, Code 2003, is amended by adding
1 27 the following new subsection:
1 28 NEW SUBSECTION. 6. REPORTING. Beginning July 2003, the
1 29 board shall submit a written report quarterly to the
1 30 legislative council, the chairperson and ranking member of the
1 31 committee on natural resources and environment in the senate,
1 32 and the chairperson and ranking member of the committee on
1 33 environmental protection in the house of representatives
1 34 regarding changes in the status of the program including, but
1 35 not limited to, the number of open claims by claim type; the
2 1 number of new claims submitted and the eligibility status of
2 2 each claim; a summary of the risk classification of open
2 3 claims; the status of all claims at high-risk sites including
2 4 the number of corrective action design reports submitted,
2 5 approved, and implemented during the reporting period; total
2 6 moneys reserved on open claims and total moneys paid on open
2 7 claims; and a summary of budgets approved and invoices paid
2 8 for high risk site activities including a breakdown by
2 9 corrective action design report, construction and equipment,
2 10 implementation, operation and maintenance, monitoring, over
2 11 excavation, free product recovery, site reclassification,
2 12 reporting and other expenses, or a similar breakdown. In each
2 13 report submitted by the board, the board shall include an
2 14 estimated timeline to complete corrective action at all
2 15 currently eligible high-risk sites where a corrective action
2 16 design report has been submitted by a claimant and approved
2 17 during the reporting period. The timeline shall include the
2 18 projected year when a no further action designation will be
2 19 obtained based upon the corrective action activities approved
2 20 or anticipated at each claimant site. The timeline shall be
2 21 broken down in annual increments with the number or percentage

2 22 of sites projected to be completed for each time period. The
2 23 report shall identify and report steps taken to expedite
2 24 corrective action and eliminate the state's liability for open
2 25 claims.

2 26 Sec. 5. Section 455G.6, Code 2003, is amended by adding
2 27 the following new subsection:

2 28 NEW SUBSECTION. 17. The board may adopt rules pursuant to
2 29 chapter 17A providing for the transfer of all or a portion of
2 30 the liabilities of the board under this chapter.

2 31 Notwithstanding other provisions to the contrary, the board,
2 32 upon such transfer, shall not maintain any duty to reimburse
2 33 claimants under this chapter for those liabilities
2 34 transferred.

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